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Attorneys for Defendant  
OR-CAL, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

TESSENDERLO KERLEY, INC., a  
Delaware corporation,  
  
Plaintiff,  
  
v.  
  
OR-CAL, Inc., an Oregon corporation,  
  
Defendant.

**Case No. 3:11-cv-04100-WHA**

**~~PROPOSED~~ ORDER RE  
SCHEDULE FOR CLAIM  
CONSTRUCTION**

Pursuant to Paragraph 3 of the Court's Case Management Order ("CMO") dated January 5, 2012 (Docket No. 39), Plaintiff Tessengerlo Kerley, Inc. ("TKI") and Defendant Or-Cal, Inc. ("Or-Cal") jointly submit this Proposed Order establishing a briefing schedule leading up to the claim construction hearing.

<b><u>Event</u></b>	<b><u>Agreed Date</u></b>
Exchange of Proposed Terms for Construction (Patent L.R. 4-1)	3/30/2012
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent L.R. 4-2)	4/17/2012
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3)	5/10/2012
Completion of Claim Construction Discovery (Patent L.R. 4-4)	5/24/2012
Opening Claim Construction Brief (Patent L.R. 4-5(a))	6/7/2012
Responsive Claim Construction Brief (Patent L.R. 4-5(b))	6/21/2012
Claim Construction Reply Brief (Patent L.R. 4-5(c))	6/28/2012
Claim Construction Tutorial	6/20/2012 (per CMO)
Claim Construction Hearing (Patent L.R. 4-6)	7/11/2012 (per CMO)

1 Dated: January 20, 2012

Step toe & Johnson LLP

2  
3 By: s/Seth A. Watkins  
Seth A. Watkins (admitted *pro hac vice*)

4 Attorneys for Plaintiff  
5 Tessengerlo Kerley, Inc.

6 Dated: January 20, 2012

Orrick, Herrington & Sutcliffe LLP

8 By: s/Vickie L. Feeman  
Vickie L. Feeman

9 Attorneys for Defendant  
10 Or-Cal, Inc.

11 **Filer's Attestation:** I, Seth A. Watkins, hereby declare pursuant to General Order 45, §X  
12 (B) that I have obtained the concurrence in the filing of this document from each of the  
13 other signatories listed.

14 Step toe & Johnson LLP


15 By: s/Seth A. Watkins  
16 Seth A. Watkins (admitted *pro hac vice*)

17 Attorneys for Plaintiff  
Tessengerlo Kerley, Inc.

19 **ORDER**

20 **PURSUANT TO THE FOREGOING, IT IS SO ORDERED.**

21  
22 Dated: January 23, 2012.

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25 HON. WILLIAM H. ALSUP  
26 UNITED STATES DISTRICT COURT JUDGE  
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